

September 21, 2007

Town of Lincoln – Planning Board

100 Old River Road

Lincoln, RI 02865

Dear Honorable Members,

On September 18, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the September 26, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Russell Hervieux, Margaret Weigner, Kim Wiegand, and Wilfred Ordonez. Below are the Committee's recommendations:

Major Subdivision Review

a. Michael Trenteseau Subdivision AP 22 Lot 11 Master Plan Discussion /

- Michael Trenteseau Great Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one residential lot into two single-family residential lots. The lots are accessed from Great Road. The subject project is located in zoning district RL-9 (9,000 square feet – Residential Limited). This application is classified as a Major

Subdivision due to its need for a dimensional variance for the existing house. On August 6, 2007, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by December 4, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. This project is in front of the Planning Board for a master plan discussion / approval. The submission includes two plans entitled “Record Plan” and “Preliminary”, Major Subdivision AP 22 Lot 11, Great Road in Lincoln, Rhode Island, prepared for Michael Trenteseau by Marsh Surveying Inc., dated April 11, 2007. Other information received included a letter of water service availability dated July 19, 2007 from the Lincoln Water Commission and notification of sewer availability from the sewer supervisor dated July 17, 2007.

Utilities

The new lot is shown to be connected to public water and sewer. The sewer supervisor has stated that public sewers are available. The

applicant must obtain a permit from Narragansett Bay Commission for sewer discharge. The applicant has received preliminary approval for water service to the proposed new lot from the Lincoln Water Commission with the condition that the existing water service be relocated from the old water main (scheduled for abandonment) to the new water main. The new water service is to be connected to the new water main.

Site Plan/ Wetlands/ Drainage

Per the Town ordinance, a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site. There appear to be no wetlands on or adjacent to the property. Notes #15 and #16 regarding construction above the seasonal high groundwater and the installation of a dry well are recommended to be included in any subdivision approval. The applicant must obtain a Physical Alteration Permit from RIDOT for the proposed driveway for the new house as a condition of this subdivision.

Record plan

Granite bounds must be shown marking the location of the property corners.

The Technical Review Committee feels that the above noted concerns can be easily addressed by the applicant. The TRC also feels that the application represents Preliminary Plan status.

Therefore, the TRC recommends that the Planning Board combines the Master and Preliminary Plan stages. The Technical Review Committee recommends that the applicant addresses the above noted concerns and if they are successful in getting the requested zoning variances, that they come back to the Planning Board at the Preliminary Plan Public Hearing stage in October. The TRC would also like to note that an abutters list would be needed for this public hearing.

**b. Angell Road Subdivision AP 44 Lots 12, 90 Project Phasing
- Angell Road Development Co. Angell Road, Whipple Road Final
Plan Discussion / Approval**

This application is under the 2005 Subdivision Regulations and represents the subdivision of two lots into fifteen single family lots. The proposed lots will be serviced with public sewer and water. The subject lots are located in zoning district RS-20 (20,000 square feet – Residential Single Family). A substantial portion of the public improvements have been installed.

The applicant is requesting that the Planning Board allow the project to be divided into phases in accordance with Section 21 of the Subdivision Regulations. As presented in the applicant's letter to the Administrative Officer, the applicant is requesting that the subdivision be divided into three phases. Phase 1 would be comprised of lots 1-4, 7-9 12-13, and detention basin #2. Phase 2 would be comprised of subdivision lots 5-6 and detention basin #1.

Phase 3 would be comprised of lots 10-11, 14-15 and the new cul-de-sac labeled “Edward Lane”. The purpose of this request is to allow Phase 1 of the project to proceed to final plan approval while the applicant and the Town work on completing the improvements to detention basin #1 and the installation of Edward Lane.

The Technical Review Committee and the Engineering Division have reviewed the above phasing proposal and request for final plan approval of Phase 1. The submission includes a plan entitled “Modification to an Approved Subdivision for Angell Road Subdivision – Phasing Plan – AP44 Lot 12 and 90”, prepared for E.A.M. Properties, LLC by Commonwealth Engineers and Consultants, dated July 16, 2007. The TRC recommends approval of the proposed phasing plan and final plan approval of Phase 1. Based on the phasing plan, each phase works independently of the other phases. The public improvements needed to service Phase 1 are installed and complete. Therefore, the lots will be serviced without any interruptions. Final Plan approval of Phase 2 and 3 of the project will depend on the applicant’s ability to complete the requested improvements.

c. Kirkbrae Ledges Subdivision – Phase 11 AP 32 Lot 33 Master Plan Extension

- Kirkbrae Ledges, LLC Lancers Lane & Hemlock Road

This Revised Master Plan (08-03-06) application is under the 2005 Subdivision Regulations and represents the subdivision of one lot

into 11 single-family residential lots. The project is proposed to be reviewed in one phase. One house lot is proposed to be developed at the end of Hemlock Road. Ten house lots are proposed to be developed off of an extension of Lancers Lane. On October 26, 2006, the Master Plan was approved with conditions. As presented in the application for a time extension, the applicant has been diligently working to obtain the necessary approvals from the Rhode Island Department of Environmental Management. The applicant is requesting a one year extension until October 26, 2008 to submit for Preliminary Plan. The TRC has reviewed the application and recommends approval of this request.

d. Cider Mill Subdivision AP 23 Lots 118 and 206 Preliminary Plan Extension

- Robert J. Bouthillier Great Rd-Cider Mill Lane

This application is under the 1995 Subdivision Regulations and represents the subdivision of two lots into eight (8) single-family residential lots. On June 25, 2003, the Preliminary Plan was approved with conditions. An amendment to the plan was submitted on July 2004 and approved on September 2004. At this meeting, the Planning Board extended the Preliminary Plan vesting period from June 25, 2004 to December 25, 2004. Construction began during November of that year. The applicant has been working to finish the public improvements. On September 7, 2007, the Town Engineer inspected the construction at Cider Mill Estates and found it to be in substantial

compliance with the approved plans. However, the Preliminary Plan approval has run out. The applicant is requesting a one year extension of the Preliminary Plan in order for him to submit for final plan approvals. The TRC has reviewed the application and recommends approval of a six month extension from June 25, 2007 to December 25, 2007. The TRC would also recommend approval of the submitted maintenance bond amount as submitted by the Town Engineer.

The documents needed for Final Plan approval are as follows:

1. Convert the \$29,000 remediation bond to a maintenance bond in the same amount
2. All easement documents must be reviewed and approved by the Town Solicitor.
3. Submit the required plans for final plan recording.

Minor Subdivision Review

- a. Carriage Drive Subdivision AP 16 Lot 9 Final Plan Discussion /
- Little Max Realty LLC Carriage Drive Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential lots. All lots are accessed from an existing road. The subject lots are located in zoning district RS-12 (12,000 square feet – Residential Single Family). The proposed project is classified as a Minor Subdivision.

On December 20, 2006, the Preliminary Plan submittal for the above noted project received Preliminary Plan Approval with Conditions.

The conditions are as follows:

- 1. A sedimentation and erosion control plan must be submitted for review and approval at the time a building permit is requested.**
- 2. The developer must obtain approval for the Narragansett Bay Commission for the additional indirect discharge.**
- 3. A note must be added to the plans stating that when the existing well on site is abandoned, it must be closed according to the appropriate RIDEM regulations.**
- 4. The existing house must be moved before final plan can be granted.**
- 5. A note must be added to the plans stating that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation.**
- 6. Granite bounds must be shown marking the location of the property corners.**

Due to the unique nature of this subdivision, final plan approval was not delegated to the Administrative Officer. The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan submission standards and requirements and the approval conditions.

The applicant has successfully addressed all of the conditions. Therefore, the TRC recommends approval of the final plan.

Zoning Applications (*) – October Zoning Applications

Armand Brunelle, 7 Grandview Avenue, Lincoln, RI – Dimensional Variance application seeking side yard relief for the construction of an addition.

AP 16, Lot 36 Zoned: RS 12

The proposed dimensional variance is to clear up the pre-existing nonconformance of this parcel of land. This lot and existing building was platted and developed before present day zoning regulations. The Technical Review Committee recommends Approval of this application. The TRC finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Charles Bishop, Jr., 30Walker Avenue, Lincoln, RI – Special Use Permit application to expand existing residential use of property for 5 additional residential units.

AP 3, Lot 171 Zoned: RG 7

Members of the Technical Review Committee visited the site and

reviewed the submitted plans and application. The TRC recommends Denial of the application for a Special Use Permit. The Committee feels that the application does not address significant issues related to increasing the existing property from five residential units to ten units. The application does not address stormwater runoff, vehicular safety between the driveway and the intersection, and does not address the new Inclusionary Zoning ordinance that states that all new residential development of five or more units shall have 20% of the units designated as affordable housing. The TRC also feels that the proposed project is not consistent with the surrounding neighborhood. The area is made up of single and two family houses. The only multi-family unit is the applicant's. The TRC feels that this proposal will be inconsistent with the area and inconsistent with the goals and objectives of the Comprehensive Plan.

Charles Bishop, Jr., 30 Walker Avenue, Lincoln, RI – Dimensional Variance application for lot width relief to expand existing residential use of property for 5 additional residential units.

AP 3, Lot 171 Zoned: RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends Denial of the application for a dimensional variance. The Committee feels that the application does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. The Technical Review Committee feels that the dimensional variance will

alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Correspondence/Miscellaneous (*)

1. Roohani AP25 Lots 12 and 17 Administrative Subdivision Approval

This represents an administrative subdivision between two residential lots. This subdivision was recorded on July 23 , 2007.

2. Lincoln Ridge Business Park – AP41 Lot 58 Remediation Bond Release

A remediation bond of \$9,500.00 was set to restrict access to the site and maintain erosion and sedimentation controls if needed. The Town Engineer has inspected the site and determined that the project is stabilized such that the bond can be released.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board